

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
BLACK DIAMOND, KING COUNTY, WASHINGTON
AUTHORIZING THE MAYOR TO SIGN THE BLACK
DIAMOND AREA OPEN SPACE AGREEMENT AND ITS
EXHIBITS**

WHEREAS, the City, King County, Plum Creek Timber Company, L.P., and Palmer Coking Coal Company, entered into an agreement dated December 31, 1996 that is entitled the Black Diamond Urban Growth Area Agreement ("BDUGAA"); and

WHEREAS, the BDUGAA, amongst other things, provides for the protection and/or conservation of significant amounts of open space as a condition precedent to annexing what is known in the BDUGAA as the South and West Annexation Areas; and

WHEREAS, the BDUGAA provides for the protections/conservation of 542 acres of what is known in the BDUGAA as In-City Open Space; and

WHEREAS, in order to implement the BDUGAA provisions, and thus allow for the annexation of properties known in the BDUGAA as the Potential Annexation Areas, it is necessary to define the properties that will satisfy the In-City Open Space requirement, and the method and manner in which they will be acquired, protected and/or conserved; now, therefore

BE IT RESOLVED that the Mayor is hereby authorized to execute the agreement entitled the Black Diamond Area Open Space Agreement, substantially in the form attached hereto, as well as the documents attached to the Black Diamond Area Open Space Agreement as Exhibits.

BE IT FURTHER RESOLVED that the Mayor is authorized to make minor changes prior to signing the Agreement and any exhibits thereto in order to take into account scrivener's corrections or administrative matters that do not affect the document's primary intent and purpose.

ADOPTED by the City Council at an open public meeting held on the 2nd day of June, 2005.



Howard Botts, Mayor

Attest:


Cris Kandior, City Clerk